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Congressional Record Page 18217 - Campaign 164 - Baker Case

Mike Mansfield 1903-2001

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Mr. MANSFIELD. That is correct—1 hour on all amendments and on the bill. I so request, Mr. President.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The unanimous-consent agreement as subsequently reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective at 12:15 p.m., on Friday, October 11, 1963, at the conclusion of routine morning business, during the further consideration of the bill (S. 1588) to remove the \$10 million limitation on programs carried out under section 16(e) (7) of the Soil Conservation and Domestic Allotment Act for 1964 and subsequent calendar years, debate on any amendment, motion, or appeal, except a motion to lay on the table and on final passage of the bill shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders or some Senators designated by them: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

ASSISTANCE TO INSTITUTIONS OF HIGHER LEARNING

Mr. DIRKSEN. If the majority leader will yield further, let me say I understand that when action on Senate bill 1588 is completed, the Senate will resume the consideration of the aid to education bill; and it is my further understanding that the distinguished Senator from North Carolina [Mr. ERVIN] has two or three amendments to offer, and there may be other amendments. So I wonder whether the majority leader can assure the Senate with respect to the consideration of amendments and any rollcalls on Friday.

Mr. MANSFIELD. There may be a yea-and-nay vote on the soil conservation bill, although the indications are that there will not be. But if it will be of any assistance—I shall do this only with the consent of the distinguished chairman of the committee, who will be handling the bill—I shall be willing, if he will be, to consider a unanimous-consent agreement to have the Senate start voting on the amendments after the convening of the Senate on Monday, with 1 hour on each amendment. Is that satisfactory?

Mr. ERVIN. That would be all right on each amendment; but there will be considerable debate on the bill.

Mr. MANSFIELD. Yes. How about 1 hour on each amendment and 4 hours on the bill?

Mr. ERVIN. I am not sure about that. In other words, the general debate will probably take longer than that.

Mr. MANSFIELD. There will be plenty of time for debate tomorrow, because the Senate will be in session for some hours then, and most of the debate then will be on the bill.

Does the Senator have a suggestion to make?

Mr. DIRKSEN. If I may respectfully suggest to the majority leader—

Mr. MANSFIELD. Then, Mr. President, I ask unanimous consent that there be 1½ hours on each amendment

and 4 hours on the bill, and that the time limitation become effective beginning at 12 o'clock noon on Tuesday next.

The PRESIDING OFFICER. And with the regular provisions included?

Mr. MANSFIELD. Yes.

Mr. KEATING. Let me ask the majority leader what is intended for Monday.

Mr. MANSFIELD. Debate on this bill, because I understand there will be a great deal of debate, for many Senators are interested in it. I know the distinguished Senator from New York is.

However, I point out that, as always—and this bill is no exception—the leadership finds itself in a bind, and this is the best arrangement we can make and still have it of benefit to the majority of Senators. Unfortunately, we are requested to do or not to do this, or that, on Monday, Tuesday, Wednesday, Thursday, or Friday—although no Senator asks for special consideration on Sunday. So this is the situation with which we are confronted, and we must try to work out some arrangement.

Mr. ERVIN. Mr. President, will the Senator from Montana modify his request to the extent of having it provide for 6 hours of debate on the bill?

Mr. MANSFIELD. Yes. Mr. President, I modify my request accordingly.

Mr. KEATING. It is my intention to attend the Senate's session on Monday.

Mr. MANSFIELD. The distinguished Senator from New York is in the Chamber every day of the year.

Mr. KEATING. But I have very important plans for Tuesday. I wonder whether we could dispose of the amendments on Monday, instead of just debating the bill then. I do not believe I have ever interposed an objection to a unanimous-consent request.

Mr. MANSFIELD. The Senator from New York is correct; he has not done so. I would not blame him for interposing objection at this time. If he does, it will be thoroughly understood, and it will just be one of the facts of life with which we shall have to live.

Mr. KEATING. When the distinguished majority leader puts the matter that way, I cannot bring myself to object.

Mr. MANSFIELD. Oh, no.

Mr. KEATING. I do not believe that one Senator should, for his own convenience, object. So I shall have to cancel this engagement.

Mr. MANSFIELD. If the Senator from New York wishes me to do so, I will do my very best to see that he gets a live pair, if he cannot get back in time.

Mr. KEATING. If the votes will be taken later in the day, I believe I can get back in time.

Mr. MANSFIELD. I assure the Senator that there will be votes later in the day.

The PRESIDING OFFICER (Mr. NELSON in the chair). Is there objection to the modified request?

Mr. KEATING. Mr. President, I shall not take it upon myself to object.

Mr. DIRKSEN. Mr. President, will the Chair restate the proposed agreement?

The PRESIDING OFFICER. The Chair asks the Senator from Montana to do so.

Mr. MANSFIELD. Will the Chair put the question and have it voted on, and then state what the agreement is? [Laughter.]

The PRESIDING OFFICER. Is there objection to the proposed agreement, as modified? The Chair hears none; and it is so ordered.

Mr. MANSFIELD. I thank the Chair.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Tuesday, October 15, 1963, at the conclusion of routine morning business, during the further consideration of the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1½ hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill, debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. MANSFIELD. Mr. President, I respectfully request the Chair now to state the agreement.

The PRESIDING OFFICER. The agreement is that there will be 1½ hours on each amendment and 6 hours on the bill, with the time to be equally divided, and subject to the regular provisions.

Mr. ERVIN. To take effect when?

Mr. MANSFIELD. Beginning at noon on Tuesday.

The PRESIDING OFFICER. That is correct.

Mr. ERVIN. In other words, the agreement will give us today and Monday for general debate; is that correct?

Mr. MANSFIELD. That is correct—both on this bill and on other bills.

Mr. WILLIAMS of Delaware. Mr. President—

Mr. MANSFIELD. I yield to the Senator from Delaware.

AUTHORIZATION TO STUDY AND INVESTIGATE FINANCIAL OR BUSINESS INTERESTS OF OFFICERS AND EMPLOYEES OF THE SENATE

Mr. WILLIAMS of Delaware. Mr. President, we in America are extremely fortunate in that we have one of the best forms of government ever conceived by mankind.

But that form of government will stand only so long as its public officials respect the integrity of their offices and it can hold and maintain the confidence of the American people.

In recent weeks we have seen publicized rather serious charges of questionable transactions by an employee of the U.S. Senate.

The Senate, which has never been reluctant to call to task officials of the executive branch when questions were raised concerning the propriety of their conduct, has an even greater responsibility to examine these charges that are being made against one of its own employees.

To ignore these charges would be a reflection on the integrity of the entire membership of the U.S. Senate.

The Senate employee against whom the charges were made was given ample opportunity to appear in person to answer these charges but he rejected this invitation and instead submitted his resignation.

But these questions still remain and they must be answered. The Senate and the country have a right to know to what extent public interest has been ignored.

I will not repeat the multitude of rumors circulating the Capital, none of which should be accepted as factual until proven, but none of which are so unimportant that they can be ignored without being fully checked.

All of these allegations can and should be submitted to a committee of the Senate and to the Department of Justice for their examination. The record must be made clear that the Senate does not consider this case closed merely by the resignation of an employee.

The integrity of the U.S. Senate is at stake.

Mr. President, with the consent of the leadership, I send to the desk a resolution, which I ask to have stated, following which I shall ask for its immediate consideration.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The resolution submitted by the Senator from Delaware will be stated.

The legislative clerk read the resolution (S. Res. 212), as follows:

Resolved, That the Committee on Rules and Administration or any duly authorized subcommittee thereof is authorized and directed to make a study and investigation with respect to any financial or business interests or activities of any officer or employee or former officer or employee of the Senate, for the purpose of ascertaining (1) whether any such interests or activities have involved conflicts of interest or other impropriety, and (2) whether additional laws, rules, or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable.

Mr. WILLIAMS of Delaware. Mr. President, I shall ask for immediate consideration of the resolution. Other resolutions are pending in the Committee on Rules and Administration, among which is the resolution (S. Res. 5), submitted by the Senators from New

York [Mr. JAVITS and Mr. KEATING]. There are other resolutions, from other Senators, all of which can be appropriately studied. These resolutions deal not only with employees, but also with Members of Congress.

Mr. President, I ask for immediate consideration of the resolution.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. To those the Senator named, the distinguished Senators from New York [Mr. JAVITS and Mr. KEATING], I should like to add the name of the distinguished Senator from Oregon [Mr. MORSE], who for well over a decade, if not for almost two decades, has introduced similar proposed legislation, and also other Senators on this side of the aisle.

There is no man of higher moral principles, of greater personal integrity, than the Senator from Delaware [Mr. WILLIAMS]. Every Senator knows of his deep and righteous concern for any question which might affect the fiscal integrity of the U.S. Government. Time and again, he has acted to extirpate anything which might reflect adversely upon it.

He is entirely within his rights, of course, in submitting the resolution which he proposed. In doing so, I am sure he has in mind this same crusade for integrity with which he has so long been identified. I would agree with the Senator that the subject to which his resolution is addressed clearly needs study.

In this connection, I would read to the Senate a letter dated October 4, 1963, which I sent by safe hand to the able and highly respected chairman of the Rules Committee. He is, as I am sure the Senator from Delaware would appreciate, a Senator no less concerned than any other Member with the integrity of this institution.

HON. B. EVERETT JORDAN,
Chairman, Senate Committee on Rules and Administration, Washington, D.C.

DEAR EVERETT: As you are no doubt aware, questions have been raised in the press as to possible conflicts of interest of Senate employees.

This unfortunate situation seems to me to have arisen in part at least because we have not as a body clarified the matter of possible conflicts of interest of Senate employees in their official capacities and their private financial interests and activities. Let me make clear that I do not refer to Senate employees on the personal staff of any Member of the Senate, each of whom is fully competent to arrange these matters within his own office in accordance with law and the Senate rules. But what I have in mind are the staff employees of Senate committees and subcommittees, who are now quite numerous, and the officers and agents of both the majority and minority structures as well as nonpartisan officials of the Senate as a whole.

I know that you, EVERETT, and the other members of your committee have the high interests of the Senate always in mind and will study this question and make whatever recommendations in connection therewith you deem appropriate. Please be assured of my full support in any efforts which you may make in this connection.

With best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

I have every confidence that on the basis of his own understanding, this letter and this resolution which is being considered on an immediate basis, the chairman of the Rules and Administration Committee will have his group proceed to a study of the question which was first raised on October 4 and which the Senator from Delaware raises today. Indeed, I am informed by the distinguished chairman [Mr. JORDAN] that he has already begun preliminary consideration of the question. In any event, I wish to express again my deep respect for the distinguished Senator from Delaware for his high-minded concern in this matter and to express again my admiration for his ever-zealous defense of the fiscal integrity of the Government.

Mr. DIRKSEN. Mr. President, obviously this subject has had a good deal of consideration by the leadership. There have been quite a number of consultations. With respect to the matter to which the pending resolution is directed, our whole hope has been to find an equitable, fair and thoroughly judicious approach. I fully concur in the contents of the resolution submitted by the distinguished Senator from Delaware [Mr. WILLIAMS]. I join the majority leader in saluting him for his vigilance and for the jealous regard that he has for the integrity of the Senate and its operations. I would be glad to concur in, and even be a cosponsor of the resolution, but we felt that that was unnecessary. But I trust without too much more ado the Senate will adopt the resolution, and that the Committee on Rules and Administration, by itself or through a subcommittee, will then impress its will upon the contents of the resolution and take whatever action may be necessary.

Mr. JORDAN of North Carolina. Mr. President—

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina.

Mr. JORDAN of North Carolina. In response to what the majority leader has stated, the letter to which the Senator has referred was delivered to me by hand on Monday morning, I believe, I immediately communicated with the majority leader by telephone and personally. We discussed the subject. I drafted a statement which I should like to read:

The Senate Committee on Rules and Administration is, of course, interested in any facts bearing on possible conflicts of interest and will determine whether or not new or revised Senate rules are advisable.

On Tuesday of this week I had some discussions with members of the staff of the Committee on Rules and Administration relating to this subject. As yet we have taken no action, but the subject is under study. I assure Senators that it is already being considered, and that the purposes of the resolution will be carried out.

Mr. WILLIAMS of Delaware. Mr. President, I thank the majority leader, the minority leader, and the chairman of the Committee on Rules and Administration, not only for their remarks here today, but for the excellent cooperation they have given in arriving at what we

think will be a proper method of determining the necessary answers.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution submitted by the Senator from Delaware?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The resolution was agreed to.

Mr. MORSE. Mr. President—

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. In a moment I will yield to the Senator from Alaska [Mr. GRUENING]. But I wish to make a brief statement at this point. I heartily endorse the resolution just adopted. I hope that similar expeditious action can be taken on proposed legislation that I have had pending before the Senate year after year. It is pending again. That proposed legislation deals with conflicts of interest on the part not only of employees of the Senate, but Members of Congress and members of the executive branch as well.

That likewise is important. We ought to put in order the house of our employees, and we ought to put in order the house of the Congress itself, as well as the house of the executive branch of the Government. There should be the same concern on the part of all of us for the elimination of conflict of interest on the part of members of the executive and legislative branches.

I therefore raise my voice again in plea for early action on the proposed legislation which I have introduced year after year, which would call for a public accounting and a public disclosure of the sources of income and business associations of all Members of Congress, as well as all those in the executive branch of the Government.

Mr. KEATING. Mr. President, will the Senator yield, before going to another subject?

Mr. MORSE. I yield.

Mr. KEATING. I join the distinguished senior Senator from Oregon in urging early consideration of the various proposals, including those which my colleague from New York [Mr. JAVITS] and I have submitted to deal with the problems of legislative ethics.

Congress is constantly laying down regulations for the conduct of those in the executive branch, telling them what they should and should not do. It is not right for us to exempt the legislative branch from the rules and regulations we have imposed upon the executive branch. There is no justification for this double standard and it has undermined confidence in our good faith.

The measure which we have introduced relates both to Members of Congress and employees, and we have been pressing for action on this proposal for many years.

Mr. MORSE. I believe it would be proper, when the Senator finishes his remarks, to have a copy of that measure printed in the Record, along with a copy of my bill.

Mr. KEATING. I agree.

Mr. MORSE. I ask unanimous consent that that be done.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Oregon? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. KEATING. I shall conclude in a moment.

Regardless of any particular episode, we shall be constantly confronted with such situations unless we come to grips with the problem. It always seems to require prodding from some unfortunate experience of some kind to insure action. I am glad the distinguished Senator from Oregon has brought up this subject. I hope the prod is now sufficient to cause action to take place.

I recognize that there are differences between the executive and the legislative branches. The identical rules cannot apply to the two, but the standards and principles involved are the same. We can devise a code of ethics or a set of rules to govern our conduct and the conduct of our employees, not merely for the purpose of punishing those who do not live up to the code—and I would hope that would never happen—but also for guidance. There are many borderline cases, which always raise questions. We need guidelines and machinery such as the professional associations have, to guide Members of Congress and their staffs as to what is appropriate and proper. If we had such guidelines, I am sure a vast majority would live up to them.

I am glad the Senator has raised this point.

Mr. MORSE. I could not agree with the Senator from New York more completely.

EXHIBIT 1

S. CON. RES. 5

Resolved by the Senate (the House of Representatives concurring),

POLICY AND PURPOSE

SECTION 1. (a) One of the most vital concerns of a free and representative government is the maintenance of moral and ethical standards for their representatives which are above cause for reproach and warrant the confidence of the people. The people are entitled to expect from their elected representatives in the Federal Government and the employees of the legislative branch a standard above that of the marketplace, for these public servants are entrusted with the welfare of the Nation. Yet these standards must be practical and should be fairly representative of the people who elect their representatives. Some conflicts of interest are clearly wrong and should be proscribed by sanctions in the criminal law; however, many are composed of such diverse circumstances, events, and intangible and indirect concerns that only the individual conscience can serve as a practical guide. But there are many possibilities of conflict in that shadowland of conduct for which guidance would be useful and healthy, but for which the criminal law is neither suited for suitable. Therefore, the Congress finds that a Code of Ethics is desirable for the guidance and protection of its Members and the officers and employees of the legislative branch of Government, establishing the standards of conduct reasonably to be expected of them.

(b) It is also the purpose of this resolution to provide for a thorough study and investigation to determine necessary and desirable changes in existing conflicts of interest statutes applying to Members of Congress and to officers and employees of the legislative branch, and to develop a comprehensive

Code of Ethics for the guidance of such Members, officers, and employees, by which the purposes of this resolution may be more fully assured in the conduct of the public business in the legislative branch.

ESTABLISHMENT OF JOINT COMMITTEE ON ETHICS

SEC. 2. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on Ethics (hereinafter referred to as the joint committee).

(b) The joint committee shall be composed of seven Members of the Senate, appointed by the President of the Senate, and seven Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

POWERS AND DUTIES

SEC. 3. (a) It shall be the duty of the joint committee to undertake a thorough study and investigation of the ways and means by which the policy objectives set forth in section 1 of this resolution can further be assured. In the conduct of such study and investigation the joint committee shall, among other things, determine to what extent existing conflict of interest laws or regulations applicable to the legislative branch should be strengthened and it shall recommend a comprehensive Code of Ethics in the formulation of which it shall have considered the following subjects:

(1) Outside employment or professional or business activity by Members of Congress or officers or employees of the legislative branch;

(2) Disclosure by Members of Congress or officers or employees of the legislative branch of confidential information acquired in the course of official duties or the use thereof for personal advantage;

(3) Use of their official position by Members of Congress or officers or employees of the legislative branch to secure unwarranted privileges or exemptions for themselves or others;

(4) Dealing by Members of Congress or officers or employees of the legislative branch in their official capacities with matters in which they have a substantial pecuniary interest;

(5) Conduct by Members of Congress or officers or employees of the legislative branch which gives reasonable cause for public suspicion of violation of public trust; and

(6) Other matters concerning official propriety and the integrity of the public service as it relates to Members of Congress, officers or employees of the legislative branch.

(b) The joint committee shall report to the Senate and the House of Representatives the result of its investigations together with such recommendations for the establishment of a Code of Ethics covering the legislative branch as it may deem advisable. Such report shall be submitted no later than March 31, 1964, and the committee shall cease to exist thirty days after the submission of its final report.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

HEARINGS, SUBPENAS, DISBURSEMENTS, EMPLOYEES

SEC. 4. (a) The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman of said joint committee, and shall

be served by any person designated by him. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

(b) The joint committee shall have the power to employ and fix the compensation of such experts, consultants, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable, subject to the limitations of its appropriations. The joint committee is authorized to utilize the services, information, and facilities of such departments and other agencies of the Government as it may deem appropriate.

LIMITATION OF JOINT COMMITTEE'S POWERS

SEC. 5. The joint committee shall have no power of enforcement with respect to any Members of Congress or officer or employee of the legislative branch, and such power is reserved with respect to its Members, officers, or employees to each House or to any committee thereof which has been designated to carry out such functions.

INTERIM CODE OF ETHICS

SEC. 6. For the purposes of guidance for Members of Congress and officers and employees of the legislative branch during the period during which the joint committee is considering the provisions of an appropriate Code of Ethics for Members of Congress and officers or employees of the legislative branch, the Congress hereby adopts the following standards as a guide to such Members, officers, or employees:

(a) No Member of Congress, or officer or employee of the legislative branch should have any interest, financial or otherwise, direct or indirect or engage in any business transaction, or professional activity or incur any obligation of any nature whether financial or moral, which is in substantial conflict with the proper discharge of his duties in the public interest; nor should any Member of Congress, officer or employee of the legislative branch give substantial and reasonable cause to the public to believe that he is acting in breach of his public trust.

(b) In addition to the general rule set forth in paragraph (a), the following standards are applied to certain specified transactions:

(1) No Member of Congress, or officer or employee of the legislative branch of the Government should accept other employment which will tend to impair his independence of judgment in the exercise of his official duties.

(2) No Member of Congress, or officer or employee of the legislative branch of the Government should accept employment or engage in any business or professional activity which will tend to involve his disclosure or use of confidential information which he has gained by reason of his official position or authority.

(3) No Member of Congress, or officer or employee of the legislative branch of the Government, should disclose confidential information acquired by him in the course of his official duties or use such information for other than official purposes.

(4) No Member of Congress, or officer or employee of the legislative branch of the Government, should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

(5) A Member of Congress, or officer or employee of the legislative branch of the Government should not by his conduct give reasonable cause for belief that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position, or influence of any person or political party.

(6) A Member of Congress, or officer or employee of the legislative branch of the

Government should endeavor to pursue a course of conduct which will not give reasonable cause for belief that he is likely to violate his trust.

(7) Any Member of Congress, or officer or employee of the legislative branch of the Government, having a financial interest, direct, or indirect, having a value of \$10,000 or more, in any activity which is subject to the jurisdiction of a regulatory agency, should file with the Comptroller General a statement setting forth the nature of such interest in such reasonable detail, and in accordance with such regulations as shall be prescribed by the Comptroller General. As used herein, the term "regulatory agency" shall include such agencies as shall be designated by the Comptroller General, which list shall be published in the Federal Register as soon as practicable.

S. 148

A bill to require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each Member of the Senate and House of Representatives (including each Delegate and Resident Commissioner); each officer and employee of the United States who (1) receives a salary at a rate of \$10,000 or more per annum or (2) holds a position of grade GS-15 or above, and each officer in the Armed Forces of the rank of colonel, or its equivalent, and above; and each member, chairman, or other officer of the national committee of a political party shall file annually with the Comptroller General a report containing a full and complete statement of—

(1) the amount and resources of all income and gifts (of \$100 or more in money or value, or in the case of multiple gifts from one person, aggregating \$100 or more in money or value) received by him or any person on his behalf during the preceding calendar year;

(2) the value of each asset held by or entrusted to him or by or to him and any other person and the amount of each liability owed by him, or by him together with any other person as of the close of the preceding year; and

(3) the amount and source of all contributions during the preceding calendar year to any person who received anything of value on his behalf or subject to his direction or control or who, with his acquiescence, makes payments for any liability or expense incurred by him.

SEC. 2. Each person required by the first section to file reports shall, in addition, file semiannually with the Comptroller General a report containing a full and complete statement of all dealings in securities or commodities by him, or by any person acting on his behalf or pursuant to his direction, during the preceding six-month period.

SEC. 3. (a) Except as provided in subsection (b), the reports required by the first section of this Act shall be filed not later than March 31 of each year; and the reports required by section 2 shall be filed not later than July 31 of each year for the six-month period ending June 30 of such year, and not later than January 31 of each year for the six-month period ending December 31 of the preceding year.

(b) In the case of any person required to file reports under this Act whose service terminates prior to the date prescribed by subsection (a) as the date for filing any report, such report shall be filed on the last day of such person's service, or on such later date, not more than three months after

the termination of such service, as the Comptroller General may prescribe.

SEC. 4. The reports required by this Act shall be in such form and detail as the Comptroller General may prescribe. The Comptroller General may provide for the grouping of items of income, sources of income, assets, liabilities, and dealings in securities or commodities, when separate itemization is not feasible or not necessary for an accurate disclosure of a person's income, net worth, or dealings in securities, and commodities.

SEC. 5. Any person who willfully fails to file a report required by this Act or who willfully and knowingly files a false report shall be fined \$2,000 or imprisoned for not more than five years, or both.

SEC. 6. (a) As used in this Act—

(1) The term "income" means gross income as defined in section 22(a) of the Internal Revenue Code.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (U.S.C., title 15, sec. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U.S.C., title 7, sec. 2).

(4) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

(5) The term "person" includes an individual, partnership, trust, estate, association, corporation, or society.

(b) For the purposes of any report required by this Act, a person shall be considered to be a Member of the Senate or House of Representatives, an officer or employee of the United States and of the armed services as described in the first section of this Act, or a member, chairman, or other officer of the national committee of a political party, if he served (with or without compensation) in any such position during the period to be covered by such report, notwithstanding that his service may have terminated prior to December 31 of such calendar year.

SEC. 7. The Comptroller General shall have authority to issue, reissue, and amend rules and regulations governing the publication of reports, or any part of them. He shall prescribe fees to cover the cost of reproduction. In formulating such rules and regulations, he shall seek to maximize the availability of reports for purposes of informing the public and agencies and officials of the Federal and local governments, and to minimize use of such records for private purposes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record Senate Concurrent Resolution 5, submitted by me and my colleague [Mr. KEATING] on January 16, 1963.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

S. CON. RES. 5

Resolved by the Senate (the House of Representatives concurring),

POLICY AND PURPOSE

SECTION 1. (a) One of the most vital concerns of a free and representative government is the maintenance of moral and ethical standards for their representatives which are above cause for reproach and warrant the confidence of the people. The